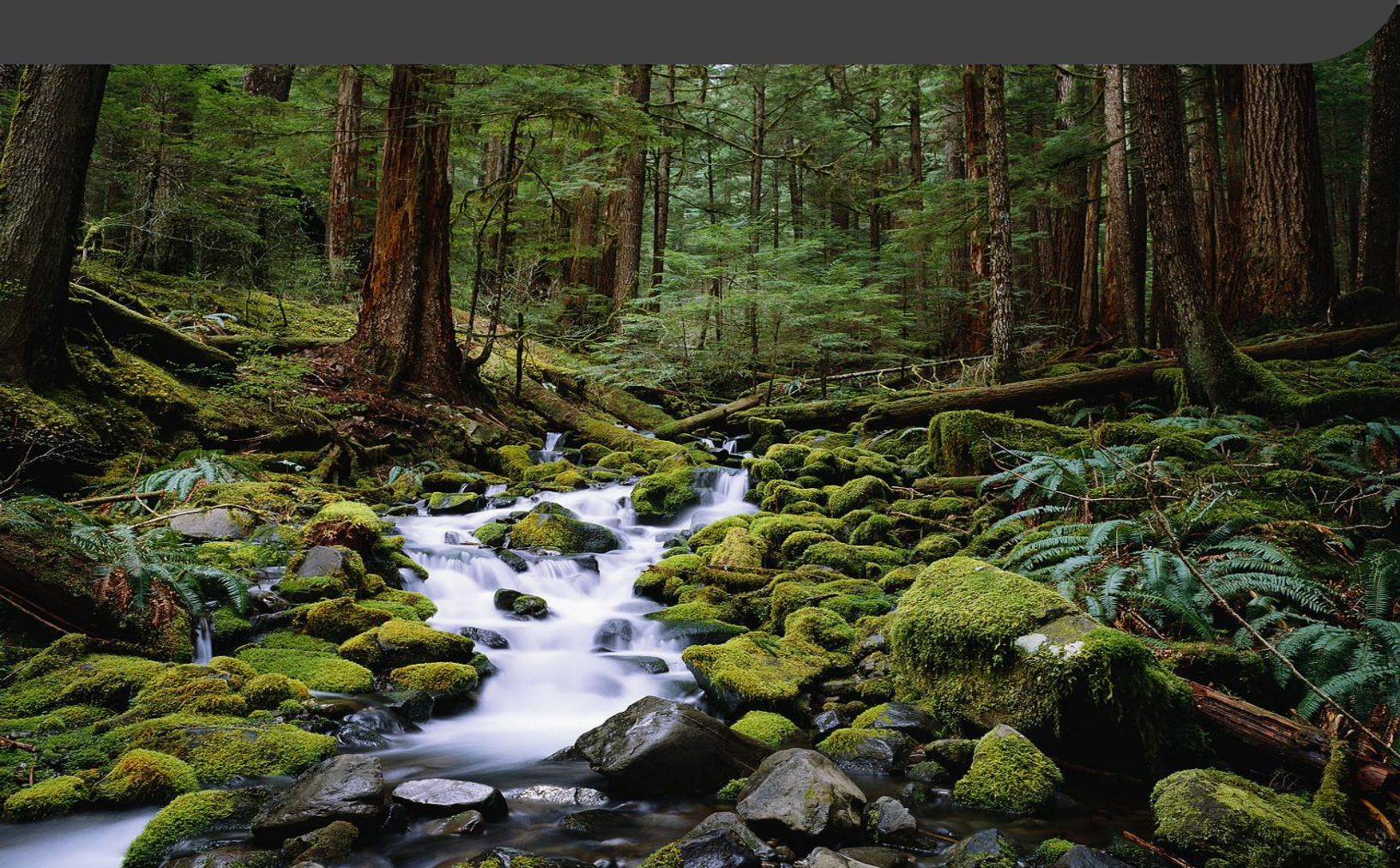


King County Ombudsman

Annual Report - 2010



"Our office's mission is to improve county government by responding to citizen complaints in an impartial manner and making constructive recommendations based on the results of complaint investigations"

2010 At a Glance

I am pleased to present the 2010 annual report of the King County Ombudsman's Office. Our office's mission is to improve county government by responding to citizen complaints in an impartial manner and making constructive recommendations based upon the results of complaint investigations.

Last year, the Ombudsman's Office handled 2,710 inquiries from the public and county employees about every department. This report provides statistical data about the number and type of complaints by department. In addition, we have provided case summaries to give a sampling of how we investigate and resolve complaints.

Our Tax Advisor Office provided assistance to 6,195 taxpayers about property tax billing, payment, and assessments. Tax Advisor staff also provided assistance to taxpayers interested in appealing their property value assessment.

I want to acknowledge the hard work and commitment of our great staff. Every day, they make the office function efficiently to the benefit of the public we serve.



I also want to extend my appreciation to the King County Council, County Executive and all county employees for their support and cooperation, without which we could not do our work.

We hope that readers find this report informative and useful. We're always interested in your feedback, so please feel free to drop us a note or call to share your comments.

Sincerely,

A handwritten signature in black ink that reads "A. Calderwood".

Amy Calderwood
King County Ombudsman

"As a journalist I value the position an ombudsman has within a community but know that it is only as valuable as the integrity of its investigators... you should be commended for upholding the high standards the public demands."

- Local Television Reporter

Our Role

In the 1960's the population of King County reached one million and many county residents found they were living in a denser, more urban community than ever before. To make King County government more responsive to their needs, county voters passed the Home Rule Charter in 1968. Among other improvements, the new charter established an Ombudsman's Office to:

"Receive complaints concerning the operation of county government and... sufficient power to quickly and efficiently investigate, to make and publicize its findings."

Today, as King County's population approaches two million and county government is challenged to provide essential services in the face of declining revenues, our role is more important than ever. We serve the community as an independent, public advocate who:

- Provides essential oversight of county operations;
- Understands how county government works; and
- Helps residents resolve issues with county programs.

To ensure that our work has the greatest impact, we approach each case with a dual purpose of addressing the individual's immediate issue and also looking for ways that the County can improve its processes to better serve future residents.

Ombudsman Quick Facts for 2010

- We received 2,950 new complaints and resolved or closed 2,982 cases
- Our total number of cases has increased 154% compared to 2006
- We issued 83 investigation reports after extensive review and analysis in particularly important cases
- We educated more than 800 county employees in-person

There are many ways to reach our office, please choose the method that is most convenient for you:

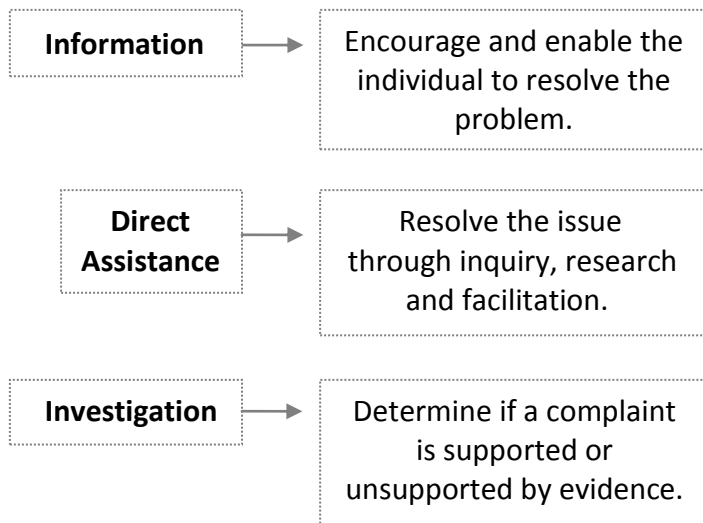
Telephone: (206) 205-6338
E-mail: ombudsman@kingcounty.gov
In-person: King County Courthouse
516 Third Ave, Room W-1039
Seattle, WA 98104

“Great job in your investigation; you gave us some eye-opening information that we didn’t have. Thank-you, this gives us something to work with.”

– County Manager

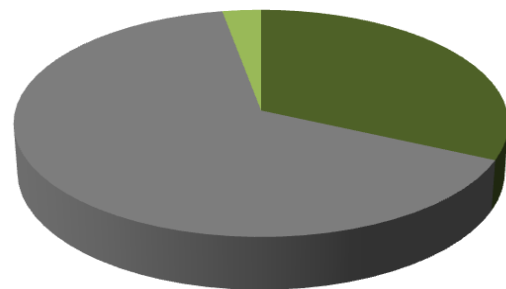
Our Process

We review each person’s issues to address individual concerns. We also focus on complaint patterns that might indicate a systemic issue and make recommendations to improve County processes. Once we fully understand a complainant’s issue, we respond in one of the following ways:



In 2010 the majority of public contacts to our office required either information (1,925 cases) or direct assistance (942 cases). The Ombudsman’s Office also conducted 83 investigations.

2010 Complaints by Type



■ Direct Assistance - 32%
■ Investigation – 3%
■ Information – 65%

While investigations comprised a small percentage of cases handled in 2010, these cases are typically high stakes for the complainants and the county. These cases often involve public health or safety, taxpayer dollars, people’s jobs, or even the missions of the agencies involved.

Investigations are also time-intensive. For example, a recent investigation required our staff to obtain and read hundreds of pages of documents and interview 19 witnesses. After an exhaustive legal review, this effort resulted in 29 pages of detailed findings.

For more information on the Ombudsman’s review process please see the flow-chart on page 12.

"I appreciate the support and concern you have demonstrated in helping us. Again thank you for your professional attitude and keep up the good work."

– County Resident

Our Authority

The Ombudsman’s Office is authorized to investigate the following types of complaints:

Administrative Acts

We investigate complaints about the administrative conduct of executive branch agencies, as well as the Department of Assessments and the Sheriff's Office (KCC 2.52). We determine whether a county action is unfair, arbitrary, inconsistent, or contrary to law. In many cases, we are able to resolve these issues informally and to everyone’s satisfaction.

Ethics

We investigate complaints asserting a violation of the King County Employee Code of Ethics (KCC 3.04) that are made to the Ombudsman. We determine if an employee’s conduct is an *“actual or apparent conflict of interest between the public trust and private interest.”*

Whistleblower & Retaliation

We investigate complaints under the Whistleblower Protection Code (KCC 3.42), which encourages county employees to report significant wrongdoing, called *“improper governmental action.”*

Our office reviews allegations of improper governmental action and reports of retaliation that an employee experiences after raising this type of issue.

Lobbyist Disclosure

We investigate complaints that assert a violation of the Lobbyist Disclosure Code (KCC 1.07). The Code mandates full disclosure by lobbyists and their employers in order to protect the openness and integrity of the legislative process. If our office determines that the complaint has sufficient merit, we conduct an investigation and issue written findings.

The Ombudsman ***does not*** have the authority to investigate:

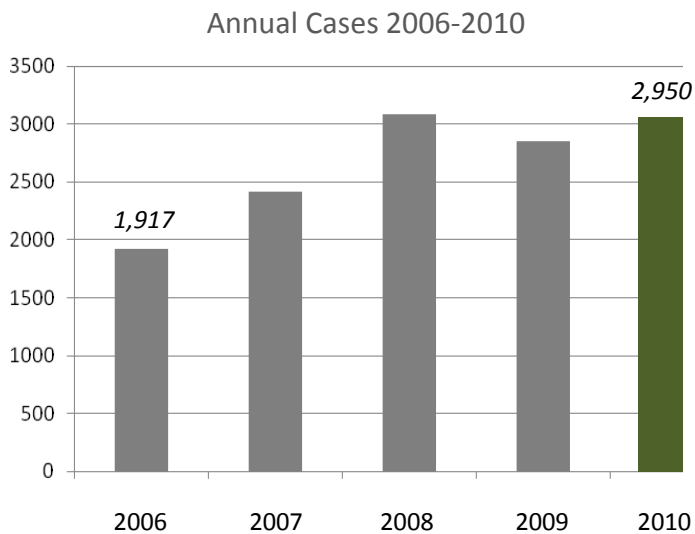
- Members of King County Council and their staffs, except in ethics cases;
- The County Executive and his personal staff, except in ethics cases;
- The Prosecuting Attorney and his staff;
- Judges and their staffs;
- City, state, or federal agencies; or
- Private businesses or non-profits

"I appreciate your professional and objective investigation of this matter. Thank you so much."

- County Resident

2010 In Review

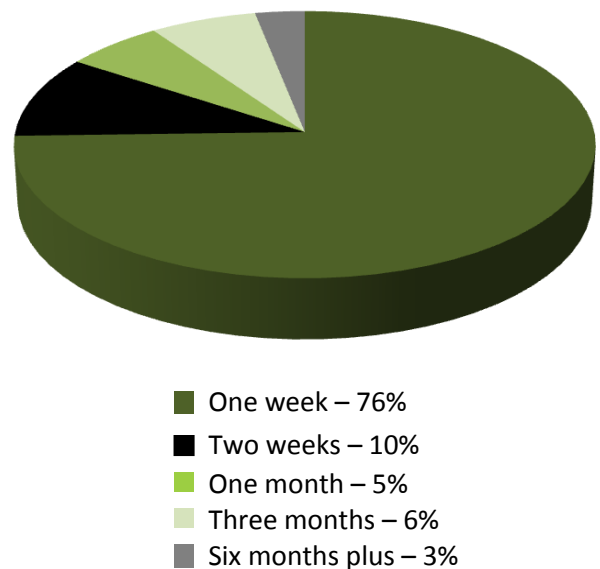
In 2010, we received 2,950 complaints and inquiries from County residents and employees. This number reflects an upward trend in the number of complaints our office has received over the past few years. As the chart below indicates we received 154% more cases in 2010 than 2006:



Who Initiated Cases in 2010?

2,710	Residents
181	Employees
+ 59	County Offices
<hr/>	
2,950	Cases

Amount of Time to Close Cases in 2010



Attempting to resolve a matter with any large organization, including King County, can be frustrating. Before people reach our office, they have often interacted with multiple county offices. So, when the Ombudsman gets involved, we strive to resolve complaints quickly. In 2010, we resolved 91% of our cases within one month.

2010 In Review

The Ombudsman’s Office received complaints regarding *every* county department in 2010. The following list shows the five county departments that our office received the most complaints about in 2010:

Complaints by Department

- 1) Adult and Juvenile Detention (1,167 cases)
- 2) Public Health (536 cases)
- 3) Executive Services (130 cases)
- 4) Development and Environmental Services (112 cases)
- 5) Transportation (86 cases)

As the list indicates, the departments that received the most complaints represent King County’s primary service areas: safety and justice, public health, the environment, and transportation.

As in previous years, our office received a high number of complaints from inmates in the county’s regional jail system. This is not surprising. The county is responsible for all inmates’ basic needs while in custody. For the same reason, 89% of the complaints to our office about Public Health were related to medical services provided to jail inmates.

Outreach Efforts

In addition to our oversight role, which is mandated by the county code, we also provide residents and employees with information about the King County Code and the role of our office. In so doing, we are often able to prevent costly conflicts before they get started. In 2010, our office:

- Presented information on Whistleblower Protections to 125+ county supervisors at “New Supervisor Trainings.”
- Collaborated with groups in unincorporated areas to clarify the role of the county in land use issues and promote our office’s services.
- Regularly updated our website to ensure it is accessible for users.
- Met with 675 county employees at “New Employee Orientations” and introduced our office’s role in county operations.

For more information on the number of complaints the Ombudsman’s Office received about county departments, see the detailed chart on page 13.

“Thank you for your valuable input and your genuine and objective manner. This is my first experience with King County Ombudsman and I come away grateful and impressed.”

– County Resident

Case Examples

Statistics often do not convey the true scope of our work. The case summaries below provide some personal examples of how our office has impacted King County residents in 2010.

“Where Do I Begin?”

Much of our work involves **helping residents navigate complex administrative processes**. In 2007, “Peter” (not his real name) contacted our office after he was cited for multiple county code violations. As a result of issues both within and outside of his control, Peter’s property had many violations, including: critical areas, septic, water quality, drainage, and inoperable vehicles.

Peter recognized the severity of the problems on his property, and wanted to make the improvements required to keep his home, but he didn’t know where to start. For several years, we worked with Peter, his contractors, and five different county departments to bring his home into legal compliance. In 2010, after a lengthy and exhaustive journey through multiple permitting and code enforcement processes, Peter received final approval from King County and was able to keep his home.



“The Bus Stops Here”

We frequently **assist residents who need help raising an issue with a county department**. While these issues often do not rise to the level of a potential violation of the county code that would warrant an investigation, we do directly assist residents after they have tried to resolve matters themselves. For example, we received a complaint from “Jenny” (not her real name), a Kenmore resident, who was frustrated the Department of Transportation (DOT) had taken down a bus-stop in her neighborhood five months earlier. When she raised the issue with DOT, the department assured her that it would be rebuilt; however, an adjacent bus-stop was then removed instead.

Case Examples

Jenny feared that her initial complaint may have triggered DOT to remove the second bus-stop. We contacted DOT managers, who informed us they were negotiating with local homeowners for additional space to expand both stops but they had reached an impasse. DOT acknowledged that these popular bus-stops had been out of commission for nearly six months. The agency agreed to immediately rebuild the original bus-stop and also contacted Jenny to fully explain.

“Safety First”

One of our office’s most important responsibilities is ensuring that King County agencies follow the law. In 2010, we received complaints about an ongoing Department of Natural Resources and Planning (DNRP) program for placing large pieces of wood in county rivers to protect plant and threatened fish habitats. County residents who contacted our office complained that DNRP’s proposed plan did not sufficiently protect public safety as required by county law.

In response to these complaints, we extensively reviewed DNRP’s proposed plan and determined that the agency had missed at least three, unambiguous provisions of the relevant law.

We explained our objections to the proposed plan, and provided amending language that would make the plan consistent with the law. In response to our objections and the active response from the community, DNRP significantly revised its proposal and ultimately published a plan that met the legal requirements.



“Weight Loss”

When county residents or employees allege credible threats to public safety, our office conducts an investigation. For example, a group of county drivers complained that their managers were allowing trucks to be overloaded for transit to the county landfills.

Case Examples

The drivers said this was a significant safety issue for multiple reasons, including impaired braking capacity.



We interviewed numerous county employees and thoroughly reviewed county data and the laws that set truck weight limits. We found more than 4,000 solid waste trucks in one year (9%) were overloaded.

In our findings, we recommended action. The County Council followed up on our report, and process improvements have since reduced the overloads while truck scales that will permanently fix the problem are constructed at all county transfer stations.

“Safe Haven”

Our office provides ***a safe place for employees to express concerns about their workplaces and the functioning of county agencies***. For example, we heard from several county employees who claimed their manager’s disorganized and closed-minded approach was jeopardizing the goals of their work group. The employees hoped to see significant changes in the manager’s performance, but worried about reprisal if he found out they had complained.

After considering the issues, the Ombudsman agreed to keep the complainants’ identities confidential. We transmitted the substance of the complaints to the department director, who thanked us for bringing the matter to the agency’s attention, and informed us that he would personally look into the matter and assess whether any action was warranted. Our later follow-up found that the manager’s performance had improved and that the work group was again on pace to achieve their goals.

"Thanks SO much for the information! You have no idea what this could mean for us. Thank you, from the bottom of my heart!"

- County homeowner

Tax Advisor

Established in 1971, our Tax Advisor Office offers property owners information and resources about the property tax assessment process and specific guidance to those who are considering an appeal of their assessment value.

Our work supports the goal of fair and equitable property taxation, especially in those cases where owners can provide information about their property that the Assessor might not have known or considered. Our assistance includes:

- In-depth explanations about the assessment process;
- Budget-based property tax systems and levy rates;
- Property tax billing and payment research;
- Comparable sales data for appeals;
- GIS maps and recorded document searches;
- Review and advice for effective appeals presentations.

In the current economic climate, we are hearing from an increasing number of taxpayers who are on reduced or fixed income, or are unemployed. While we cannot solve every situation, we listen to the concerns of every person who contacts our office, and try to connect them with information and resources that may be useful.



Our office provides quick information about property tax bills to thousands of county residents each year, especially, when both the County Treasury and the Department of Assessments are overwhelmed with calls after tax bills are mailed and payments are due.

2010 in Review

The Tax Advisor Office responded to 6,195 contacts during FY-2010. That figure includes providing comparable sales surveys to 647 residential owners who filed appeals and replying to 166 website contacts (a 700% increase over 2007).

"Thank you for all the wonderful help. Everything was very, very informative and surpassed all my expectations."

- County homeowner

Tax Advisor

In 2010, our office transitioned from a paper-heavy system to a paper-less system that delivers our comparable sales research packages to taxpayers via email. In addition to conserving a considerable amount of paper, this upgrade allowed us to reduce our average response time from one week to one day.

We increased our outreach efforts by partnering with: the King County Assessor to present assessment and appeal information at public meetings; a large title company to train real estate brokers; print media to provide accurate information; and other jurisdictions, including the cities of Seattle, Redmond and Renton.

Our office also works closely with the Department of Assessments (DOA). Our research often enables DOA to correct land or improvement characteristics outside the appeal process, including tax roll corrections that can permit refunds to taxpayers. These so called "manifest errors" are much quicker to resolve, and taxpayers are grateful when we can explain that a year-long appeal process is not always necessary.

Similarly, we work collaboratively with the County Treasury to research questions and resolve problems with taxpayers' payments, including complaints about "omit years",

misapplied fund transfers, and penalties and interest for late payments.

A Taxing Situation

"Margaret" (not her real name) is a Seattle homeowner who had struggled to present her case for a lower valuation to the Board of Equalization. By the time she came to our office, she already had a backlog of three years' appeals at the state Board of Tax Appeals. After working with Margaret to identify her relevant issues, she was finally able to effectively present her case. She won her appeal which will result in reduced assessments for nine years.

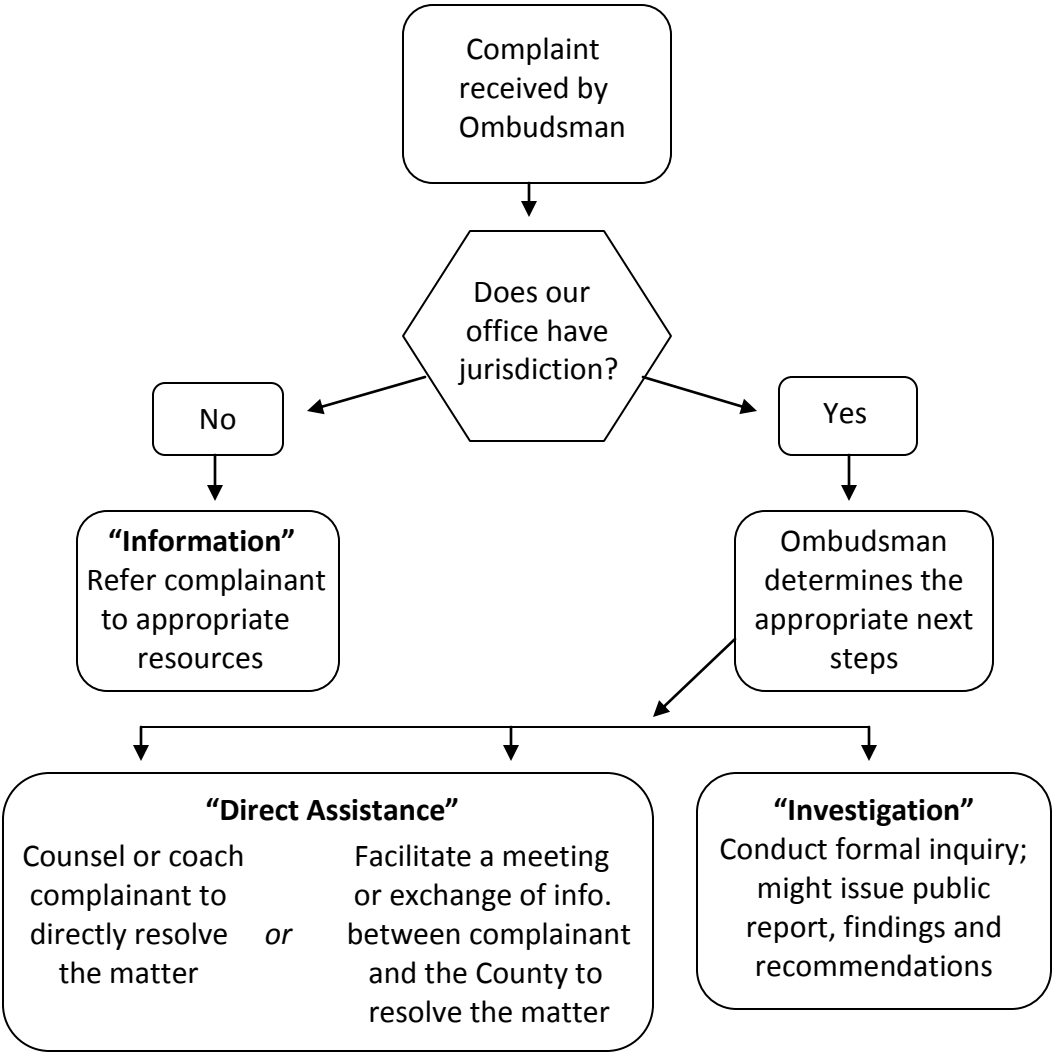
The 10% Solution

Our office discovered that a condo development in Seattle included a high-end unit that was assessed at only about 10% of its market value. The Department of Assessments subsequently found that their software needed a data entry field with "one more" digit capability. The department was able to fix the application and re-post values before the official value notices were mailed.

To contact the Tax Advisor's Office, please call (206) 205-6330 or send an email to taxadvisor@kingcounty.gov

Addendum

The Ombudsman’s Office uses the following process to organize resident inquiries and determine whether they require information, direct assistance or investigation:



Addendum

Complaints Received By County Agency in 2010

Department	Assistance	Information	Investigation	Total
Adult and Juvenile Detention	336	803	28	1167
Assessments	6	9	2	17
Boards and Commissions	0	3	0	3
Community and Human Services	13	47	1	61
Development and Environmental Services	56	49	7	112
District Court	7	31	0	38
Elections	4	0	0	4
King County Executive	1	11	0	12
Executive Services	44	78	8	130
Metropolitan King County Council	5	15	1	21
Natural Resources and Parks	12	19	4	35
Ombudsman's Office	16	86	0	102
Prosecuting Attorney's Office	1	12	0	13
Public Health	380	139	17	536
Sheriff's Office	16	19	5	40
Superior Court	5	79	0	84
Transportation	29	47	10	86
Non-Jurisdictional	11	478	0	489
Total	942	1925	83	2950